

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCT LIABILITY LITIGATION

MDL No. 2327

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER # 204
(Defendants' Motion for Entry of a Protective Order
and to Quash Plaintiffs' 30(b)(6) Deposition Notice)

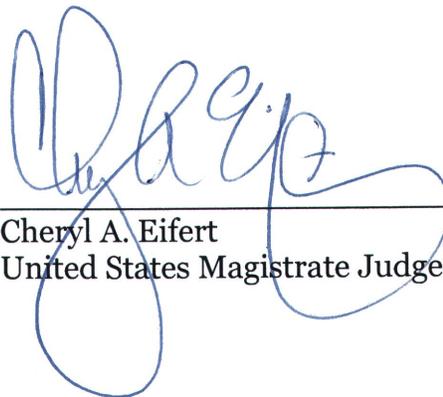
Defendants, Johnson & Johnson and Ethicon, Inc. (collectively referred to as "Ethicon") seek an order in this multidistrict litigation ("MDL") prohibiting Plaintiffs from taking a Rule 30(b)(6) deposition related to various manufacturing issues and particle loss. (ECF No. 1735). Plaintiffs responded to the motion, and Ethicon replied. On Tuesday, November 10, 2015, the undersigned conducted a telephonic hearing, at which the parties argued their respective positions.

For the reasons set forth in the hearing, the court **GRANTS**, in part, and **DENIES**, in part, Ethicon's motion. Plaintiffs shall be permitted to inquire of a Rule 30(b)(6) witness about manufacturing issues that arose in 2010 in Taiwan and regarding matters related to or arising from the Taiwanese product recall. However, Plaintiffs are not permitted to inquire regarding generic manufacturing issues related to all products in the TVT product line since their inception. In view of these limitations, the parties are **ORDERED** to meet and confer in an effort to appropriately narrow the 23 topics set out

in the deposition notice. If the parties are unable to agree by **November 20, 2015**, they shall notify the undersigned.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-02327 and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:15-cv-14934. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at <http://www.wvsd.uscourts.gov>.

ENTERED: November 12, 2015



Cheryl A. Eifert
United States Magistrate Judge